

REMARKS

After entry of the foregoing amendments, claims 14-24 and 26 will remain pending. Claims 1-13 and 25 have been canceled in view of the election made herein, without prejudice to pursuit thereof in one or more continuing applications. Claim 16 has been amended to correct a grammatical and a typographical error. Claim 24 stands withdrawn as being drawn to a process claim that contains all the limitations of the elected composition claims. Applicants reserve the right to rejoin claim 24 in the event that claims 13-23 are found to contain patentable subject matter. New claim 26 has been added, and is drawn to a purified recombinant protein according to claim 14 comprising SEQ ID NO:8.

The specification has also been amended at the paragraph beginning on page 27, line 16. The sequence shown in the replacement paragraph (SEQ ID NO:8) has been amended to delete the extraneous "OCH" at the terminus of the sequence, and accordingly now matches SEQ ID NO:8 as submitted in the sequence listing.

The office action dated May 12, 2010 presented a requirement for restriction of pending claims 1-25 to the following ten groups:

Group 1, claims 1-8 and 13, drawn to a multimeric peptidomimetic comprising plural monomers that comprise exocyclic peptide, a linker and a motif required for forming the multimer, and a process for producing (claim 13) a multimeric peptidomimetic using the monomer.

Group 2, claims 9-11, drawn to a nucleic acid encoding the monomer that comprises the exocyclic peptide having a ring structure, a linker and a motif required for forming a multimer, an expression vector comprising the nucleic acid and a host comprising the vector.

Group 3, claim 12, drawn to a method of delivering a drug to a cell comprising contacting the cell with the multimeric peptidomimetic of Group 1.

Group 4, claim 12, drawn to a method of delivering a toxin to a cell comprising contacting the cell with the multimeric peptidomimetic of Group 1.

Group 5, claim 12, drawn to a method of delivering a nucleic acid to a cell comprising contacting the cell with the multimeric peptidomimetic of Group 1.

Group 6, claim 12, drawn to a method of delivering a radionuclide to a cell comprising contacting the cell with the multimeric peptidomimetic of Group 1.

Group 7, claim 12, drawn to a method of delivering a detectable compound to a cell comprising contacting the cell with the multimeric peptidomimetic of Group 1.

Group 8, claims 14-23, drawn to a purified recombinant protein comprising a cell binding domain and a biotin-binding streptavidin core sequence wherein said cell binding domain contains an active domain of a heterologous polypeptide, and a tetrameric protein complex comprising the protein thereof.

Group 9, claim 24, drawn to a method of delivering a drug to a cell comprising contacting with a tetrameric protein of Group 8.

Group 10, claim 25, drawn to a process of using the protein of Group 8 to produce a tetrameric protein.

Without acquiescing to the propriety of the requirement for restriction and in an effort to be fully responsive, applicants hereby elect without traverse the subject matter of Group 8, composed of claims 14-23 for prosecution on the merits. Applicants believe that new claim 26, which depends from claim 14, also falls within Group 8.

Species Election

Pursuant to 35 U.S.C. § 121, the Office has also required a species election from among the disclosed species of proteins. It is Applicants' understanding that this species election is being made to aid the Examiner in conducting a search and examination of the claimed subject matter, and is not to be construed as limiting the scope of Applicants' claims. It is also Applicants' understanding that if the elected species is found to be allowable over the prior art, the search and examination will be expanded to cover other species, until it includes the full scope of the generic claims. Applicants hereby elect the species of newly added claim 26. Claims 14-19, 21 and new claim 26 read on the elected species.

Applicants expressly reserve the right to pursue the subject matter of the nonelected claims in one or more continuing applications, and to request rejoinder of process claims that include all limitations of the elected composition claims at a later date.

DOCKET NO.: UPN-5231
Application No.: 10/589,688
Office Action Dated: May 12, 2010

PATENT

CONCLUSION

Applicants believe that the foregoing constitutes a complete and full response to the official action of record, and that the application is now in condition for allowance. Accordingly, an early and favorable action on the merits is respectfully requested.

Date: May 21, 2010

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